

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF DELAWARE**

UNITED STATES OF AMERICA,

Plaintiff,

v.

JODY CHUBBS,

Defendant.

:  
:  
:  
:  
:  
:  
:  
:  
:  
:  
:

Criminal Action No. 07- 118 UNA

REDACTED

**INDICTMENT**

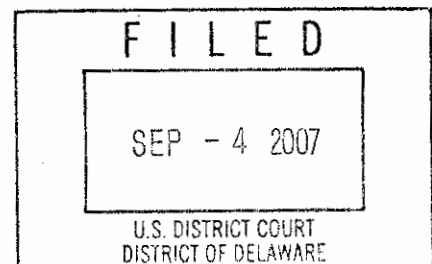
**Introduction: Facts Common To All The Schemes To Defraud**

1. At all times material to this Indictment, Bank One, Commerce Bank, Wachovia Bank, Sun National Bank, Citizens Bank, and Artisans' Bank were federally insured financial institutions, the deposits of which were insured by the Federal Deposit Insurance Corporation, or FDIC.

2. At all times material to this Indictment, Jody Chubbs ("CHUBBS") was a natural person with a mailing address in Middletown, Delaware.

3. At all times material to this Indictment, CHUBBS and her husband, K.C., operated various businesses out of their Middletown, Delaware home including Chubbs Towing LLC. Through at least 2004, CHUBBS and K.C. also operated First State Filter and Fabrication out of a Newark, Delaware location.

4. From in or around January 2006, through in or around June 2007, in New Castle County, in the State and District of Delaware, CHUBBS devised schemes and artifices to defraud federally insured financial institutions out of money and property.



5. Beginning in or around January 2006, and continuing through in or around May 2007, defendant JODY CHUBBS opened a series of business checking accounts in the names of Chubbs Towing, Chubbs Towing LLC, and First State Filter and Fabrication at, *inter alia*, Commerce Bank, Wachovia Bank, Sun National Bank, Citizens Bank, and Artisans' Bank. Defendant CHUBBS had signature authority on each of these business checking accounts.

6. Thereafter, beginning in or around March 2006 and continuing through in or around May 2007, CHUBBS deposited checks into each of the above business checking accounts. These checks were drawn on a line of credit and on business and personal checking accounts, including those in the names of Chubbs Towing, Chubbs Towing LLC, and First State Filter and Fabrication. At the time she made the deposits, the defendant knew that the checks were worthless, as there were insufficient funds in the accounts on which the checks were written and/or the accounts on which the checks were written had been closed or suspended. The banks immediately credited the business checking accounts into which the defendant deposited the worthless checks. The defendant then withdrew funds from the above business checking accounts prior to discovery by bank officials that the deposited checks were worthless and fraudulent. In this way, the defendant obtained money and caused losses to the above-listed banks in excess of \$70,000. <sup>xx mdc 9/4/07</sup>

7. CHUBBS withdrew and attempted to withdraw funds from the business checking accounts of Chubbs Towing, Chubbs Towing LLC, and First State Filter and Fabrication, knowing that there were insufficient funds in those accounts to cover these withdrawals.

8. CHUBBS also made various purchases, using check and/or debit cards associated with the business checking accounts of Chubbs Towing, Chubbs Towing LLC, and First State Filter and Fabrication, knowing that there were insufficient funds in those accounts to cover these purchases.

**COUNT 1**

9. From on or about January 17, 2006, through in or around April 2006, in the District of Delaware, defendant JODY CHUBBS did knowingly execute and attempt to execute a scheme and artifice to defraud Commerce Bank, a federally insured financial institution, as described more fully in paragraphs 1-8 above, incorporated herein by reference, in violation of 18 U.S.C. § 1344, and, in execution of the scheme, on or about March 10, 2006, the defendant deposited into Commerce Bank Account xxxxxxxx7047 check nos. 1010 and 1025, for \$3,800 and \$6,640, respectively, drawn on Bank One/JP Morgan Chase Account Number xxxxxxxx5844 (the "Bank One 5844" account), all in violation of Title 18, United States Code, Sections 1344 and 2.

**COUNT 2**

10. From on or about May 10, 2006, through in or around June 2006, in the District of Delaware, defendant JODY CHUBBS did knowingly execute and attempt to execute a scheme and artifice to defraud Wachovia Bank, a federally insured financial institution, as described more fully in paragraphs 1-8 above, incorporated herein by reference, in violation of 18 U.S.C. § 1344, and in execution of the scheme, on or about May 10, 2006, using a Wachovia Bank ATM in the District of Delaware, the defendant deposited into Wachovia Bank Account Number xxxxxxxxxxxx2208, in the name of First State Filter and Fabrication, check no. 1011, for \$9,600, drawn on the Bank One 5844 account, all in violation of Title 18, United States Code, Sections 1344 and 2.

**COUNT 3**

11. From on or about February 8, 2007, through in or around May 2007, in the District of Delaware, defendant JODY CHUBBS did knowingly execute and attempt to execute a scheme and artifice to defraud Citizens Bank, a federally insured financial institution, as described more fully in paragraphs 1-8 above, incorporated herein by reference, in violation of 18 U.S.C. § 1344,

and in execution of the scheme, on or about April 11, 2007, the defendant deposited into Citizens Bank Account xxxxxx1584, in the name of Chubbs Towing, check nos. 1013, 1015, and 1016, for \$3,900, \$4,200, and \$6,440, respectively, all drawn on the Bank One 5844 account, all in violation of Title 18, United States Code, Sections 1344 and 2.

**COUNT 4**

12. From on or about April 18, 2007, through in or around June 2007, in the District of Delaware, defendant JODY CHUBBS did knowingly execute and attempt to execute a scheme and artifice to defraud Sun National Bank, a federally insured financial institution, as described more fully in paragraphs 1-8 above, incorporated herein by reference, in violation of 18 U.S.C. § 1344, and in execution of the scheme, on or about April 26, 2007, the defendant deposited into Sun National Bank Account xxxxxx5549, in the name of Chubbs Towing LLC, check no. 1018, for \$7,540, drawn on the Bank One 5844 account, all in violation of Title 18, United States Code, Sections 1344 and 2.

**COUNT 5**

13. From on or about May 22, 2007, through on or about May 30, 2007, in the District of Delaware, defendant JODY CHUBBS did knowingly execute and attempt to execute a scheme and artifice to defraud Artisans' Bank, a federally insured financial institution, as described more fully in paragraphs 1-8 above, incorporated herein by reference, in violation of 18 U.S.C. § 1344, and in execution of the scheme, on or about May 22, 2007, the defendant deposited into Artisans' Bank Account xxxxx0658, in the name of Chubbs Towing two checks, check no. 1021, for \$12,200, drawn on the Bank One 5844 account, and check no. 1030, for \$6,990, drawn on

Citizens Bank account xxxxxx5121, all in violation of Title 18, United States Code, Sections 1344 and 2.

**COUNT 6**

14. On or about May 22, 2007, in New Castle County, within the District of Delaware, defendant JODY CHUBBS with intent to deceive, and for the purpose of opening a bank account with Artisans' Bank, falsely represented that Social Security account number xxx-xx-5858 had been assigned to her by the Secretary of the United States Department of Health and Human Services when, in fact, such number was not the account number assigned to her, in violation of Title 42, United States Code, Section 408(a)(7)(B).

**COUNT 7**

15. On or about May 22, 2007, in the District of Delaware, defendant JODY CHUBBS did knowingly use, without lawful authority, a means of identification, that is, a social security number of another person, during and in relation to a violation of the bank fraud statute, 18 U.S.C. § 1344, as described in paragraph 13 above, all in violation of Title 18, United States Code, Section 1028A(1).

**Notice of Forfeiture**

Upon conviction of any of the offenses alleged in Counts 1 through 5 of this Indictment, defendant JODY CHUBBS shall forfeit to the United States pursuant to 18 U.S.C. Section 982(a)(2)(A) any property constituting or derived from proceeds obtained directly or indirectly as a result of the said violation, including, but not limited to:

**Money Judgment** - a sum of money equal to \$72,638.92 in United States currency, representing the amount of proceeds obtained as a result of the offense, to wit, a violation of 18 U.S.C. Section 1344, bank fraud.

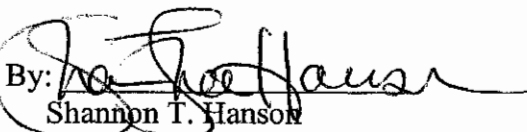
**Substitute Assets**

Pursuant to Title 21, United States Code, Section 853(p), as incorporated by Title 18, United States Code, Section 982(b), and with respect to Counts 1 through 5 of this Indictment, defendant JODY CHUBBS shall forfeit substitute property up to the value of \$72,638.92, if, by any act or omission of the defendant, the property described above, or any portion thereof, cannot be located upon the exercise of due diligence has been transferred, sold to or deposited with a third party; has been placed beyond the jurisdiction of the court; has been substantially diminished in value; or has been commingled with other property which cannot be divided without difficulty.

A TRUE BILL

Grand Jury Foreman

COLM F. CONNOLLY  
UNITED STATES ATTORNEY

By:   
Shannon T. Hanson  
Assistant U.S. Attorney

Dated: September 4, 2007